IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

Single Bench

WRIT PETITION NO. 3432 /2004

PETITIONER

Ashutosh Dixit, aged about 27 years, son of Shri Kamal Kishore Dixit, resident of Mandir Chowk – Patharia, Mahasamund, Tahsil and Distt. Mahasamund (Chhattisgarh)

P. R. No. 2988/04
Presented by Shri Vivek Shivastava
dated 27-8-04

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through, the Secretary, Department of Education, Dau Kalyan Singh Bhawan, Raipur, Chhattisgarh.

2. The District Education Officer, District – Mahasamund (C.G.)

3. The State of Madhya Pradesh, Through : the Secretary, Deptt of Education, Vallabh Bhawan, Bhopal (Madhya Pradesh)

4. The Union of India, through : the Secretary, Ministry of Personnel, Public Grievances and Pension (State Reorganization Cell), III Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

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27/8/04
Clerk to A. G. Bilaspur

23/8/04

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA, 1950 FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS ETC. AND FOR APPROPRIATE ORDER / ORDERS, DIRECTION / DIRECTIONS.

01) PARTICULARS OF THE PETITIONER:
As per the cause title.

02) PARTICULARS OF THE RESPONDENTS:
As per the cause title.

03) PARTICULAR OF ORDERS AGAINST WHICH THE PRESENT PETITION IS BEING MADE:

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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI SATISH K. AGNIHOTRI, J.

WRIT PETITION NO. 3432 of 2004

Petitioner	:	Ashutosh Dixit
	Versus	
Respondents	:	The State of Chhattisgarh and others

Present : Shri Bhaskar Payashi, counsel for the petitioner.
Smt. Anju Ahuja, Deputy Government Advocate for the respondents No. 1 and 2.
None for the respondent No. 3.
Shri S.K. Beriwal, Standing counsel for the respondent No. 4/Union of India

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ORAL ORDER
(20th April, 2006)

1. Learned counsel for the petitioner submits that the petitioner is the son of Shri Kamal Kishore Dixit, who was working as Assistant Teacher in the Government Higher Secondary School, Pithora, District-Mahasamund. Shri Kamal Kishore Dixit was died in harness on 20.8.1998.

2. The petitioner, being dependant-legal heir of the deceased filed an application on 12.5.2000 for compassionate appointment before the District Education Officer. The said application was not considered on the ground that the death has occurred before creation of new State of Chhattisgarh.

3. The State of Chhattisgarh, by its circular dated 2.2.2006, has directed all the departments to consider cases of all the eligible dependant-legal heir of the employees, who died in harness

between 1.11.1997 to 31.10.2000 for compassionate appointment.

4. Accordingly, the State Government is directed to consider the case of the petitioner as per its own circular dated 2.2.2006 and also in view of the order dated 20.12.2005 passed by this Court in W.P. No. 1322/2002 and other connected matters on its own merit, in accordance with law, on such representation being filed by the petitioner.

5. For the reasons stated-above, the writ petition stands disposed of. No order as to costs.

Certified copy as per Rules.

Sd/-
Satish K. Agnihotri
Judge

Bablu